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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,002	02/16/2001	Leo Driessen	CS1089#SP	3636

7590 10/04/2002  
The Black & Decker Corporation  
701 East Joppa Road  
Towson, MD 21286

EXAMINER

TRAN, LOUIS B

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

S.M.

# Office Action Summary

Application No.

09/788,002

Applicant(s)

DRIESSEN, LEO

Examiner

Louis B Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show rear portion 20 and stem 30 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Also, Figure 4 is described as showing cog member 51 and recess 52 in the specification on page 9, line 8 but does not show these items on the referenced drawing. Items 51 and 52 are shown elsewhere in the drawings.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wadge (6,170,579) in view of Strohmaier (4,222,738).

Wadge discloses the invention substantially as claimed including a body 18 which houses a motor 20 and a first output shaft 24 operatively coupled to the motor, and an attachment 50 for engagement with the body, wherein the attachment includes an input shaft 104 for operative engagement with the first output shaft of the body when the attachment is engaged with the body and wherein the attachment includes a further output shaft 122 for transmitting rotational motion derived from rotational motion of the attachment input shaft, wherein the attachment is having a respective gear mechanism 112 for causing a gear change in rotational speed as between the input and the output of the respective gear mechanism (as in claim 1), wherein the gear mechanism 112 of the attachment is between the attachment input shaft 104 and the further output shaft 24 (as in claim 3), wherein the gear ratio of input rotational speed to output rotational speed for each respective epicyclic gear mechanism is fixed as in column 9, lines 9-23 (as in claims 4 and 5), wherein the first output shaft and the attachment input shaft are splined for axial engagement with each other as seen in Figure 9 (as in claim 6), wherein the attachment is releasably engageable with the body (as in claim 7), including a plurality of attachments, each one of which may operatively engage with the body (as in claim 8), but does not specifically show a body having a respective gear mechanism for causing a gear change in rotational speed as between the input and the output of the body gear mechanism.

However, Strohmaier teaches the use of a body having a respective gear mechanism for causing a gear change in rotational speed as between the input and the output of the respective gear mechanism (as in claim 1), wherein the gear mechanism

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of the body is between the motor 3 and the first output shaft 9 (as in claim 2), wherein the gear ratio of input rotational speed to output rotational speed for each respective epicyclic gear mechanism is fixed as described in column 1 line 47 (as in claims 4 and 5), for the well-known purpose speed reduction through gear ratios in column 3, line 11 of Strohmaier.

Furthermore, Wadge describes such an arrangement as standard practice in column 8, line 67. Wadge continues to describe a conventional drill comprising an output of a motor reduced by a first planetary gear reduction mechanism and a second planetary reduction mechanism as known to one skilled in the art.

Therefore, it would have been obvious to one having ordinary skill in the art to provide Wadge with a gear reduction mechanism at the motor like Strohmaier in order to manipulate rotational speed through gear reduction.

In view of the above, the modified device of Wadge would disclose the combination of the body and the attachment thereby providing a power tool with a plurality of serially-coupled gear mechanisms.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are Thames, Hellstrom, Hu, Kress et al., Wood, Dudden, Curtiss, and Page, Jr. et al.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis B Tran whose telephone number is 703-305-0611. The examiner can normally be reached on 8AM-6PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I Rada can be reached on 703-308-2187. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

lbt  
September 23, 2002

A handwritten signature in black ink, appearing to read 'Rinaldi I. Rada', with a long horizontal flourish extending to the right.

Rinaldi I. Rada  
Supervisory Patent Examiner  
Group 3700